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Question of Cyprus

Oceans and the law of the sea

Letter dated 14 December 2016 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 13 December 2016, addressed to you by Mehmet Dânâ, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 41 and 73 (a), and of the Security Council, and published on the website of the Division for Ocean Affairs and the Law of the Sea and in the next issue of the *Law of the Sea Bulletin*.

(*Signed*) Feridun H. **Sinirlioğlu**
Permanent Representative

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Annex to the letter dated 14 December 2016 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

13 December 2016

Upon instructions from my Government, I am writing to respond to the letter dated 10 November 2016 (A/71/611-S/2016/955) addressed to you by the Greek Cypriot representative in New York to set the record straight about the framework agreement that was signed between the Turkish Republic of Northern Cyprus and the Republic of Turkey on 10 October 2016.

The framework agreement in question involves the collaboration of the two sides in the field of electricity, namely the renewal of the electricity infrastructure, the development of electricity supply security and the construction of interconnected systems in order to supply electricity by means of submarine technology. The agreement also foresees project development and cooperation in the fields of oil and natural gas resources.

The Greek Cypriot arguments contained in the letter are based on the false premise that the Greek Cypriot administration has the right to speak on behalf of the whole island. Needless to say, the democratically elected Government of the Turkish Republic of Northern Cyprus has the sole authority and discretion to sign and conclude such agreements in order to address the needs of the Turkish Cypriot people. Hence, the Greek Cypriot administration of Southern Cyprus has no moral or legal right of say over these issues.

In this regard, it should be remembered that the partnership republic of 1960 collapsed in 1963 when the Greek Cypriot partner ejected Turkish Cypriots from all organs of the State, and ever since there has not been a joint central administration on the island capable of representing the whole of Cyprus, either legally or factually. Each side has since ruled itself, while the Greek Cypriot side has continued to claim that it is the "Government of Cyprus".

Thus, the only occupation on the island has been the usurpation of the partnership republic of 1960 by the Greek Cypriot side since 1963. Turkey's intervention and its subsequent presence on the island is legitimate under international law since it was conducted in accordance with Turkey's rights and obligations emanating from the 1960 Treaty of Guarantee. It should be noted in this regard that none of the Security Council resolutions on Cyprus refer to the presence of the Turkish troops on the island as an "occupation", as it serves as a deterrent against the repetition of the past atrocities towards the Turkish Cypriot people.

It will be remembered that recently, the Greek Cypriot representative raised allegations regarding the water supply project between the Turkish Republic of Northern Cyprus and Turkey, which is now operational and addressing the water scarcity in Northern Cyprus. In a similar vein, there can be no tenable or legitimate argument against the supply of electricity from Turkey to the island.

Furthermore, it should be stressed that the project to supply electricity from Turkey is not meant to act as a substitute for the synchronization of the electricity grids between the two sides in Cyprus as a confidence-building measure, thus

rendering irrelevant the allegation made in that letter. Yet, it should also be recalled that this particular confidence-building measure has yet to bear fruit owing to the Greek Cypriot side's lack of willingness to take the necessary steps with a view to implementing this mutually agreed and jointly declared confidence-building measure.

Availing myself of the present opportunity, I would like to call upon the Greek Cypriot side to discontinue such counterproductive and outdated rhetoric, in particular at a time when the negotiations aimed at finding a settlement have entered a critical stage. The "business as usual" statements coming from the Greek Cypriot side naturally do not instil confidence in the Turkish Cypriot side that the Greek Cypriots are finally ready for a power-sharing agreement with the Turkish Cypriot people on the basis of the agreed parameters.

Finally, I would like to reiterate that the Turkish Cypriot side expects reciprocity of its oft-demonstrated goodwill, both at the negotiating table and within the context of the daily dealings of the two sides on the island. We, therefore, hope that our Greek Cypriot neighbours will be duly encouraged to follow a similar path towards committing to a results-oriented negotiating process within the context of your good offices mission.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 41 and 73 (a), and of the Security Council, and have it published on the website of the Division for Ocean Affairs and the Law of the Sea and in the next issue of the *Law of the Sea Bulletin*.

(*Signed*) Mehmet **Dânâ**
Representative